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SIPDIS

SENSITIVE

DEPARTMENT FOR EUR/CACEN (J. MUDGE), G/TIP (J. DONNELLY) AND
DRL/PHD (C. KUCHTA-HELBLING)

E.O. 12958: N/A

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SUBJECT: KAZAKHSTAN: CHARGE DELIVERS TIP BENCHMARKS

REF: A. STATE 160883

11. (SBU) SUMMARY: On September 8, Charge delivered reftel trafficking in persons benchmarks to Serik Nugmanov, Vice Minister of Justice, and Aisha Aitkalieva, Head of the International Law Department at the Ministry of Justice. The Charge discussed the history of bilateral cooperation on TIP issues and PolOff discussed each benchmark in detail. END SUMMARY

BACKGROUND

12. (SBU) In less than two years, Kazakhstan has gone from being in danger of Tier 3 placement to being on Tier 2. Although Post and the GOK hope that Kazakhstan can one day earn Tier 1 placement, both recognize that the GOK has achieved much in terms of combating trafficking in persons. Most importantly, the GOK has shown political will to address the problem across various ministries and agencies.

13. (SBU) Elvira Azimova, the former Head of the International Law department, played a critical role in driving the GOK interagency process that resulted in draft TIP amendments that are awaiting parliamentary approval this fall. This summer, Azimova was promoted to another department, and her former deputy, Aitkalieva, has stepped into her place. Although Aitkalieva is perceived as not yet fully confident in her position -- Azimova is a hard act to follow -- Kazakhstani TIP experts agree she knows the issues well and she is expected to settle in to her job over the next several months. Vice Minister Nugmanov, also recently appointed, showed a good familiarity with the status of current projects and details of both the draft amendments and the new draft National Plan of Action on TIP for 2006-2008.

DEMARCHE AND RESPONSE

14. (SBU) Charge led off the meeting with an overview of bilateral cooperation on TIP over the past two years, noting the positive progress that the GOK had made. Our cooperation on TIP, the Charge noted, is a model for expanding cooperation on other human rights issues. The Charge recognized the accomplishments of the MOJ in particular, and noted that although there were several new faces working on these issues, the USG has full confidence that our productive relationship on TIP will continue.

15. (SBU) Among the benchmarks presented, the Charge noted the most important was the timely passage of the TIP amendments drafted by the MOJ. Progress towards many of the other benchmarks -- increasing conviction numbers and sentences, increasing victim protection, devoting GOK resources to TIP programs -- hinges on the TIP amendments providing a legal basis for GOK action. Charge encouraged the MOJ to continue to work closely with PolOff and PolAsst to meet these benchmarks. Following Charge's comments, PolOff gave a detailed explanation of each benchmark, and noted that the each addressed a priority area for progress that Post believed was achievable within the reporting period.

16. (SBU) Nugmanov expressed appreciation for Post's efforts on TIP, noting that criticism in USG reports was balanced by USG cooperation to address these problems. He noted that many of the provisions in the draft National Plan of Action on TIP for 2006-2008 addressed the concerns that the USG had identified. He went on to discuss the parallel provisions in detail. Nugmanov also noted that the UN Transnational Organized Crime Convention had been signed and was expected to be ratified this year or the next; the Palermo Protocols were expected to be signed and ratified at the same time.

17. (SBU) COMMENT: Nugmanov offered few surprises and the meeting was a cordial exchange of appreciation for both sides' efforts. The parallel between the benchmarks and the TIP National Action Plan is likely the result of PolOff's discussions with Azimova in the month before she transferred; inclusion of these issues into the draft

National Action Plan is a positive sign of GOK intentions.
Post's TIP Working Group will continue to engage with the

GOK on these issues. END COMMENT

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